

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

FACEDOUBLE, INC., a California corporation,

Case No.: 3:12-CV-01584-DMS-MDD

Plaintiff,

ORDER OF DISMISSAL

VS.

FACE.COM INC., a Delaware corporation, f/k/a VIZI LABS, INC.

Defendant.

Based on the foregoing stipulation of the parties, and pursuant to FED. R. CIV. P. 41(a) and 41(c), it is hereby ORDERED that:

1. The Court hereby dismisses WITH PREJUDICE all claims that were or could have been alleged by FaceDouble against Face.com arising under U.S. Patent No. 7,587,070 (“070 patent”) only, including without limitation claims based upon or relating to Face.com’s facial recognition technology implemented through, supported by, or provided by the Face.com API, KLIK mobile app for iOS, the PhotoTagger Facebook app and/or Face.com’s website formerly operational at www.Face.com.

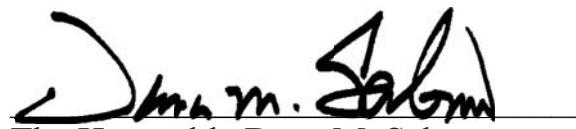
2. The foregoing dismissal is WITHOUT PREJUDICE as to any other claims (other than those identified in Paragraph 1 above) that could have been alleged by FaceDouble against Face.com.

3. The Court hereby dismisses WITHOUT PREJUDICE any claims or defenses that Face.com asserted or could have raised arising out of or relating to the '070 patent. Face.com and any successor thereto, with respect to any defenses and/or challenges relating to the '070 patent, shall be in the same position as though the present action had never been brought.

1 4. Each party shall bear its own costs and attorneys' fees. Any future court
2 action between the parties arising under or relating to this stipulation or the '070 patent
3 shall be brought and maintained only in courts within the Southern District of California.

4 5. This Order is not intended as, and shall not be construed as, an
5 acknowledgment, admission, concession, or stipulation of liability or wrongdoing by any
6 party, or relating to the effect (if any) of the foregoing dismissal on any person or entity
7 who is not a party to the above-captioned civil action. Face.com Inc. and FaceDouble,
8 Inc. are the only parties to the agreement and the only parties to the case.

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10 SO ORDERED this 12th day of March, 2014.

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13 The Honorable Dana M. Sabraw
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